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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

CELERINA NAVARRO, JANET STEVENS,  
ARMANDO COVARRUBIAS, EVELYN  
ESTRADA, GABRIEL RANGEL JAIME,  
ALMA ALDACO, and all others similarly  
situated,

Plaintiffs,

v.

THE CITY OF MOUNTAIN VIEW,

Defendant.

Case No. 5:21-cv-05381-NC

**THIRD JOINT CASE MANAGEMENT  
STATEMENT AND STATUS UPDATE**

Case Management Conference

Date: September 28, 2022

Time: 10:00 a.m.

Judge: Hon. Nathanael Cousins

Pursuant to the Court's Case Management Conference Order, the Standing Order for All Judges of the Northern District of California, Civil Local Rule 16-10(d), and this Court's order (ECF No. 105), the Parties, by and through their undersigned counsel, jointly submit this Third Joint Case Management Statement and Status Update.

### **I. STATUS OF SETTLEMENT**

As reported by the Parties on August 24, 2022 (ECF No. 99) and August 30, 2022 (ECF No. 102), after nine months of negotiations, counsel for the Parties reached a tentative settlement agreement in this matter. As reported to the Court on September 14, 2022, the City and five Plaintiffs have now executed that agreement. Plaintiffs' counsel have been unable to contact the sixth plaintiff, Gabriel Rangel Jaime, despite repeated efforts to do so, and will be separately filing a motion to withdraw as counsel for that plaintiff.

As represented to the Court on September 14, 2022, the Parties believe the settlement agreement between the City and Plaintiffs is in the best interests of all Parties including the proposed class, and therefore the Parties do not expect to litigate this case further except as detailed below.

### **II. MOTIONS**

The Parties anticipate only a few additional motions related to seeking preliminary and final approval of the class settlement, Court approval and award of any attorneys' fees and costs for Plaintiffs' Counsel, and Plaintiffs' counsel's motion for leave of the Court to withdraw from representing Mr. Rangel.

### **III. SCHEDULING**

The Parties request that all other deadlines be taken off calendar and request the following schedule from the Court:

<b>Event</b>	<b>Date</b>
Plaintiffs' Counsel's Motion for Leave to Withdraw from Representing Mr. Rangel	Filed by: September 28, 2022 Hearing: November 2, 2022 at 1 p.m.

Unopposed Motion for Preliminary Approval of Class Settlement	Filed by: October 21, 2022 Hearing: November 30, 2022 at 1 p.m.
Motion for Award of Attorneys' Fees and Costs	Filed at least 30 days prior to filing motion for Final Approval
Motion for Final Approval of Class Settlement	At date set by the Court at hearing on Motion for Preliminary Approval

The proposed hearing date for the Unopposed Motion for Preliminary Approval has been noticed on the standard 35 day calendar, however given that this motion is unopposed, the Parties would prefer to have it heard earlier, possibly in conjunction with Plaintiffs' counsel's motion to withdraw from representing Mr. Rangel. In light of the tentative settlement agreement reached by the Parties pending Court approval of the agreement, the Parties respectfully propose that all further discovery and trial dates be taken off calendar.

Respectfully submitted,

DATED: September 23, 2022

/s/ Erin Neff

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**L.R. 5-1 ATTESTATION**

I, Samuel R. Diamant, attest that all signatories listed herein, and on whose behalf this filing is submitted, concur in this filing's content and have authorized this filing.

By: /s/ Samuel R. Diamant

**CASE MANAGEMENT ORDER**

The above JOINT CASE MANAGEMENT STATEMENT AND [PROPOSED] ORDER is approved as the Case Management Order for this case and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: September \_\_\_\_\_, 2022

\_\_\_\_\_  
HON. NATHANAEL COUSINS  
United States Magistrate Judge